

With regard to new claim 14, Applicants note that it is well-known in the art that a major cause of signs of aging is sundamage (in particular, damage caused by UV radiation), so preventing UV radiation from damaging skin through the use of sunscreens would prevent signs of photoinduced cutaneous ageing. Accordingly, new claim 14 satisfies the requirements of § 112.

Finally, regarding the rejection of claims 7 and 9, Applicants respectfully traverse these rejections and request consideration thereof. Attached hereto at Tabs A-F are copies of several patents and several pages from the CTFA dictionary identifying examples of salicylic acid (Tab A), cinnamic acid (Tab B), diphenylacrylate (Tab C), p-aminobenzoic acid (Tabs A & B), 1,3,5-triazine (Tabs D & E) and benzophenone (Tab F) compounds which are sunscreen agents. Thus, such compounds are well-known in the art. One skilled in the art would understand that the word “derivatives” in claims 7 and 9 refers to such known compounds. Accordingly, claims 7 and 9 are definite, and their rejection under 35 U.S.C. § 112 should be withdrawn.

In view of the above, Applicants respectfully submit that the rejections under 35 U.S.C. § 112 should be withdrawn.

#### **REJECTION UNDER 35 U.S.C. § 103**

The Office Action rejected claims 1-9 and 11-13 under 35 U.S.C. § 103 as obvious over U.S. patent 5,827,508 (“Tanner”), and claim 10 as obvious over Tanner in view of U.S. patent 6,015,548 (“Siddiqui”). In view of the following comments, Applicants respectfully request reconsideration and withdrawal of these rejections.

As noted in the present specification, retinol is a well-known for its anti-acne and anti-aging activity. (Page 1, lines 13-17). However, retinol is not particularly stable and

readily decomposes. (Page 1, lines 22-26). This lack of stability and decomposition can be enhanced by the presence of UVA sunscreen agents. (Page 1, line 27 through page 2, line 1). That UVA sunscreen agents can enhance retinol decomposition is problematic, particularly in view of the fact that it could be desirable to have retinol and UVA sunscreen agents in the same compositions due to their complementary anti-aging activities. (Page 2, lines 2-9).

The pending claims relate to compositions containing retinol and certain camphorsulphonic acid derivatives. Surprisingly, the claimed camphorsulphonic acid derivatives, which are UVA screening agents, do not significantly degrade retinol in the claimed compositions. For example, the data at page 10 of the present specification demonstrates that retinol is much more stable in the claimed compositions than in compositions containing another type of UVA screening agent (Parsol 1789). This unexpected and unique combination of ingredients (and benefits resulting therefrom) is nowhere suggested or recognized in the cited art.

The Office Action asserts that Tanner's statement that 1,4-[bis(3-methylidenecamphormethylsulphonic)] acid (col. 10, lines 3-4) and retinol (col. 15, line 11) could optionally be added to his compositions renders the claimed invention obvious. However, these compounds are merely two of numerous compounds and categories of compounds spanning six (6) columns which Tanner suggests could optionally be added to his compositions. (See, col. 9, line 45 through col. 15, line 29). Tanner's discussion of adding so many optional compounds to his compositions is so broad as to be meaningless with respect to combining two individual compounds. In other words, Tanner's disclosure is so broad that it does not provide any guidance to one skilled in the art regarding which "optional" compounds to combine and, thus, would not lead one skilled in the art to combine

retinol and the claimed camphorsulphonic acid derivatives with the expectation that retinol would not be significantly decomposed.

Moreover, Tanner discloses compositions containing a dibenzoylmethane sunscreen compound and surface treated zinc oxide. Tanner identifies Parsol 1789 as being an acceptable dibenzoylmethane compound. (Col. 5, lines 46-51). Based on Tanner's disclosure, one skilled in the art would include a dibenzoylmethane compound such as Parsol 1789 in compositions.

According to the test results on page 10 of the present specification, retinol is much less stable in the presence of Parsol 1789 (see composition C) than in the claimed compositions (30% and 27% supplementary degradation are observed in composition C in comparison with composition A (containing retinol) and composition B (containing retinol + camphorsulphonic acid compound), respectively). Thus, if one skilled in the art followed Tanner's disclosure, he would obtain a composition in which retinol readily decomposed. Accordingly, Tanner neither teaches nor suggests the claimed invention.

With respect to claim 10, Siddiqui does not compensate for Tanner's deficiencies. Siddiqui does not relate to camphorsulphonic derivatives, nor does it suggest combining such compounds with retinol or any benefits resulting therefrom.

In view of the above, Applicants respectfully submit that the rejections under 35 U.S.C. §103 should be withdrawn.

Applicants believe that the present application is in condition for allowance. Prompt and favorable consideration is earnestly solicited.

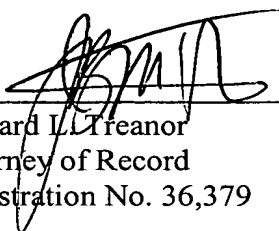
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



**22850**

Tel #: (703) 413-3000  
Fax #: (703) 413-2220

  
Richard L. Treanor  
Attorney of Record  
Registration No. 36,379

Jeffrey B. McIntyre  
Registration No. 36,867

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11. (Amended) The composition according to Claim 1, further comprising an inorganic pigment selected from the group consisting of [from] titanium oxide, iron oxide, zinc oxide, zirconium oxide and cerium oxide nanopigments, optionally coated with alumina and/or with aluminium stearate.

12. (Amended) A method for [preventing or] treating signs of intrinsic or photoinduced cutaneous ageing comprising applying the composition of Claim 1 to the skin, lips or scalp.

Claim 14 (New)